

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1801-05  
Bill No.: HCS for SS for SCS for SBs 433 & 248  
Subject: Alcohol; Liability  
Type: Original  
Date: May 9, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of the State Courts Administrator** and the **Office of the State Public Defender** each assumed the proposal would not fiscally impact their respective agencies.

In response to legislation regarding dram shop liability from earlier this session, officials of the **Office of Prosecution Services** assumed the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the Attorney General** did not respond to our request for fiscal impact, however, **Oversight** assumes this proposal would not have a fiscal impact on their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses that sell intoxicating beverages by the drink might benefit from different insurance premiums.

DESCRIPTION

Under current law, persons licensed to sell intoxicating beverages cannot be held liable for injuries to others inflicted by persons who purchase those intoxicating beverages unless the person licensed to sell intoxicating beverages is first convicted of selling them to a person under age 21 or to an obviously intoxicated person. This proposal adds that this sale must be knowing and must be proven beyond a reasonable doubt.

DESCRIPTION (continued)

RAS:LR:OD (12/00)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator  
Office of Prosecution Services  
Office of the State Public Defender

**NOT RESPONDING:**        **Office of the Attorney General**



Jeanne Jarrett, CPA  
Director

May 9, 2001